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**TO BE FILED UNDER SEAL**

**BY HAND**

The Honorable Kimba M. Wood  
United States District Court Judge  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

**SENTENCING MEMORANDUM**

**Re: United States v. James David Williams; 16 Cr. 436 (KMW)**

Dear Judge Wood:

[REDACTED]

In accepting and embracing this truth, change naturally followed. Mr. Williams began the long journey of ruthless self-reflection and self-examination. This continued at the Metropolitan Detention Center ("MDC") in Brooklyn, thousands of miles away from everyone and everything that he knows and is familiar with, after being remanded nearly 9 months ago.

[REDACTED] Mr. Williams has changed. Many have noticed, including prosecutors and agents, family members, and ourselves. Mr. Williams has noticed too and now refers to his former self as the "old David." Simply put, the David Williams who was arrested over two years ago is not the same person. This is evidenced by his embracement of wrongdoing, sincere remorse related to the harm he has caused victims, and his full awareness

that he has failed his family. In a heartfelt letter to the Court, Mr. Williams shares these thoughts and many others. He writes,

I am so ashamed of my crimes. I am sorry and remorseful to my victims for their financial losses, plus the personal pain and disappointment that I have caused them along with my partners, business associates, family and friends. All I can say is that this experience has changed me, profoundly. I have learned so much, and I am a different person. When I look at the person that I was when I was first indicted, [REDACTED]

[REDACTED] I have learned so much about myself and my actions and the real effects that they have on other people's lives. When I am allowed to return to my family, I will be this different person. An honest hard working person with a duty and a responsibility to realize how my actions affect others. I ask you for the chance to prove to you that I can be a better person.

Exhibit "A" (James David Williams Letter)

There is no question that Mr. Williams committed serious crimes and damaged investors. He has failed. However, he is also someone who is repeatedly described by others as a devoted and dedicated husband, father, son, family member and friend to many. He is dedicated to helping others, often without benefit to himself. He has proven himself to be loving, generous, kind and compassionate. In the eyes of the those familiar with his criminal wrongdoing, even some of his victims, Mr. Williams is still viewed in various letters, attached as Exhibit "A," as a "good person" (John Doxsie Letter); a "decent family man" (Gregg Russell Letter); and someone whose "failures [should be placed] in light of all the good he has done and the vital role he will need to play as a son, husband, father, uncle and friend to so many that rely on him for emotional and financial support" (Frederick B. Helmer, Lt. Col, USAF (Ret.) Letter).

Mr. Williams' prosecution and incarceration has been devastating to his family, specifically, his wife, Nikki, and children, Parker, [REDACTED]. They have been hurt by Mr. Williams' actions and lost everything. They have "lost their home, savings and security," friendships and associations, and "are dependent on family and friends" (Nikki Williams Letter). The Williams family, once loving and close, is in shambles and broken. Mr. Williams' career and reputation has also been destroyed. Nearing 60 years old, he must find a new career, provide for his family, and rebuild his fractured life. Additionally, he must earn back the trust of those in his life and work to restore relationships, particularly from Nikki, Parker, [REDACTED], and seek their forgiveness. The punitive consequences of his actions will be experienced by Mr. Williams for the remainder of his life.

It is against this backdrop that we ask Your Honor to consider before a sentence is imposed. *See Pepper v. United States*, 131 S. Ct. 1229, 1240 (2011) (recognizing the underlying principle of sentencing is that "the punishment should fit the offender and not merely the crime."); *Pennsylvania ex rel. Sullivan v. Ashe*, 302 U.S. 51, 55 (1937) ("For the determination of sentences, justice generally requires consideration of more than the particular acts by which

the crime was committed and that there be taken into account the circumstances of the offense together with the character and propensities of the offender.”).

It is our hope that this memorandum, along with the attached letters contained in Exhibit “A,” [REDACTED], provides the Court with a more complete understanding of who James David Williams is, [REDACTED] and the profound and devastating impact that this prosecution and incarceration has had on him and his family, so that it can impose a sentence that is “sufficient, but not greater than necessary.” We respectfully submit that a sentence of time served (approximately 9 months’ imprisonment at the Metropolitan Detention Center (“MDC”)), along with a five-year period of supervised release with conditions of home detention for 12 months and 250 hours of community service is appropriate based on the factors set forth in 18 U.S.C. §§ 3553(a) and 3553(e).

### 1. Procedural History and Sentencing Guidelines Analysis

On June 28, 2016, Mr. Williams was arrested on charges related to conduct he and his co-conspirators engaged in from 2012 to 2016, related to defrauding investors in several film projects. On September 21, 2017, [REDACTED], he pleaded guilty to the charges contained in a superseding information [REDACTED].

He pleaded guilty to conspiring to commit wire fraud, substantive wire fraud and conspiring to commit money laundering from in or about 2002 through in or about 2016, in connection with a scheme to defraud film investors. He also pleaded guilty to two additional counts of substantive wire fraud and one count of aggravated identity theft. On March 22, 2018, Mr. Williams pleaded guilty to additional charges contained in a superseding information, [REDACTED]. He admitted his guilt to one count of substantive wire fraud, one count of bank fraud and to making false statements. Following his plea, he was remanded and has been incarcerated at the MDC since then.

The stipulated Guidelines Range is 97 to 121 months. This is based on Mr. Williams’ Criminal History Category of I (he has 0 criminal history points), and an offense level of 30.

This Court is well aware that it has broad discretion to determine an individualized sentence for Mr. Williams pursuant to § 3553(a) and is not bound by the Guidelines range or that the Guidelines range is “presumed reasonable.” *Nelson v. United States*, 550 U.S. 350, 351 (2009); *see also United States v. Dorvee*, 604 F.3d 84, 93 (2d Cir. 2010) (“[i]n conducting this review [of the § 3553(a) sentencing factors], a district court needs to be mindful of the fact that it is ‘emphatically clear’ that the Guidelines are guidelines – that is, they are truly advisory”), *quoting United States v. Cavera*, 550 F.3d 180, 189 (2d Cir. 2008) (requiring district courts not to presume that a Guidelines sentence is reasonable for any particular defendant and to conduct an “independent review of the sentencing factors” in all cases for each defendant). The aim is to fashion a sentence that is “sufficient, but not greater than necessary,” based on an analysis of the § 3553(a) factors, such as the purposes of sentencing, including, punishment, deterrence, incapacitation and treatment and rehabilitation, and consideration of the individual offender and their life history and background. And “[w]hile there are many competing considerations in



every sentencing decision, a sentencing judge must have some understanding of the diverse frailties of humankind[,] ... what it is like to be in trouble and in pain.” *United States v. Singh*, 877 F.3d 107, 121 (2d Cir. 2017).

For the reasons set forth in this memorandum, we submit that a substantial variance from the Guidelines is appropriate in this case, for Mr. Williams.

**2. A Sentence of Time Served, Along with Conditions of Home Detention and Community Service, Should Be Imposed [REDACTED] and the Factors Enumerated in 18 U.S.C. § 3553(a)**

**a. The Nature and Circumstances of the Offense and David Williams’ Remorse and Full Acceptance of Responsibility**

From 2002 to 2016, Mr. Williams engaged in a conspiracy to commit wire fraud and money laundering related to a scheme to defraud film investors. He also engaged in substantive wire fraud,<sup>1</sup> aggravated identity theft<sup>2</sup> and bank fraud.<sup>3</sup> He also made false statements [REDACTED].<sup>4</sup>

As part of the scheme to defraud film investors, Mr. Williams conspired with others to solicit investments in film projects using false pretenses and misrepresentations. He also used fraudulent documents. He engaged in such fraudulent conduct jointly with others, mainly co-defendant Steven Brown. When they were in need financially, Mr. Brown often reported to Mr. Williams that he would locate funding for various purposes, mainly to pay profits to or return funds to investors. Seldom did this materialize and with every fraud, Mr. Williams fell deeper and deeper into a financial mess.

<sup>1</sup> Mr. Williams admitted to engaging in substantive wire fraud offenses. In 2015, to hide the value of his assets in the course of civil litigation involving a victim, Mr. Williams created a fraudulent “second trust deed” purporting to give a fictitious entity, rights to his home. In 2012, Mr. Williams created an entity called Garuda Trust, using fraudulent documents. Between 2012 and 2014, Mr. Williams used this entity and related documents to secure financing to buy a boat and secure a loan. Finally, Mr. Williams solicited funds from investors based on fraudulent misrepresentations in 2016 and 2017. He also produced commitment letters suggesting that he would commit certain funds to distribute funds, believing that he could when he did not have the ability to do so.

<sup>2</sup> In order to receive certain tax credits and or related funding for a film, a film where Victim-L invested \$125,000 under false pretenses, Mr. Williams and co-defendant Gerald Seppala needed to show that the rights to the film were held by a state corporation. The rights to the film were held by two writers. One gave permission to sign his rights over to a corporate entity. Mr. Williams constructed a document where he assigned the other individual’s rights to the film, to the corporate entity, and forged that individual’s signature to do so, thereby committing this offense. Mr. Williams did complete some work on this film.

<sup>3</sup> In 2006 and 2007, Mr. Williams opened a bank account with a fraudulent document purporting to have been issued by the Los Angeles County Clerk that he prepared.

<sup>4</sup> [REDACTED], Mr. Williams made false statements related to the nature of his film work in 2016 and 2017 and failed to disclose his involvement in fraudulent transactions that occurred years before.

The solicited investments were used for various purposes, including paying personal expenses and funding other projects, including paying profits or funds to investors. In multiple instances, beginning in approximately 2002, Mr. Williams solicited funds from investors based on false statements or providing fraudulent documents that their investments were guaranteed.<sup>5</sup> Most of the funds were not used to fund the film project intended by the investor. However, unlike many co-conspirators and some of his co-defendants, Mr. Williams worked on many film projects and undertook substantial efforts to ensure that such projects would be completed and profits to investors would be realized. In several instances, films were completed, and investors made profits.

Mr. Williams accepts full responsibility for his participation in his serious wrongdoing. He is sincerely remorseful. At his plea proceedings, he stated:

I take full responsibility for what I have done and accept the consequences of my actions, including my sentence, and the embarrassment and shame that I feel in letting down my wife, children family and those that I worked with.

During his interview with the Department of Probation, Mr. Williams informed United States Probation Officer Ross N. Kapitansky that he felt extremely remorseful for his conduct and what he had done to his family. He stated that "his sins were living above [his] means" and that as a result of his convictions, his career in the film industry is "decimated."

Additionally, in his letter to Your Honor, attached as Exhibit "A," Mr. Williams states,

I can't begin to express my embarrassment, my shame and my remorse for my actions.

I used my experience and knowledge to get people like Bill Busbice, Dr. Ishmael Silva, David Tengdin and several other good trusting people to invest their hard earned money under false pretenses. I was always hoping that it would work out. It did not work out. It could not have worked out because it was a house of cards built on the lies that I told people who believed in me.

Exhibit "A" (David Williams Letter)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

**c. Mr. Williams' Life History and Background, Devotion to His Wife, Children and Family and the Destructive Impact of His Incarceration**

Mr. Williams was born on August 4, 1961, in Decatur, Illinois. He and his two older sisters, Julie Doxsie, and Jill DeMichele, were raised by their father, James Edward Williams Sr., and mother, Emmy Lee Williams. Prior to working as an insurance salesman, Mr. Williams Sr. served in the military. He was also a first-generation high school and college graduate. He passed away in 2008. Ms. Williams, 91, is also a college graduate. After her children got older, she operated two women's clothing stores. Later, Mr. Williams' parents bought a retail store and operated it together. They both worked hard to provide for their children.



Growing up, Mr. Williams was active in church, boy scouts, theater, golf and music. He also enjoyed and excelled in photography. In 1980, Mr. Williams graduated from MacArthur High School in Decatur. While there, he completed college courses at Richland Community College in Forsyth, Illinois. For the next two years, Mr. Williams attended Arizona State University. He discontinued his college education to work full time in sales in California, where he has since resided.

Mr. Williams and his wife, Nikki Kammie Williams, married in 1995. They have three children: Parker, 20, [REDACTED]. Parker is in the Marine Corps after withdrawing from Arizona State University because of the family's poor financial condition. [REDACTED] is in his first year at Arizona State University and [REDACTED] is in high school.

Mr. Williams has a lengthy history of employment based in southern California. Through hard work, he ascended to top positions in the entertainment industry. Following his work in sales in the early 1980s, he worked for Credit Lyonnais and later, from 1990 to 1995, he was the chief operating officer for Orion Pictures in Century City, California. He oversaw the distribution, acquisition, marketing and financing for the studio. Additionally, he assisted in the sale of the studio to MGM in 1995. In the late 1990s, Mr. Williams founded the company, Providence Entertainment, a distribution company located in Studio City, California. The company was involved in acquiring pictures and their distribution and marketing. From 2001 to 2005, he was president and CEO of Constellation Entertainment, a distribution company located in Universal City, California. From 2006 to 2016, Mr. Williams was president and CEO of Legacy Filmcrest, a distribution company located in Chatsworth, California. Unfortunately, through this employment, Mr. Williams engaged in the instant fraudulent offenses.

Despite his serious criminal conduct, Mr. Williams has positive characteristics that are described in the many letters included in our submission. Such letters describe Mr. Williams as a man who sacrifices for and is devoted to his wife and children. He is loving, generous, compassionate, faithful, ambitious and hard-working (Emmy Williams Letter); a "thoughtful and caring father and husband" (Gregg Russell Letter); a "devoted family man" (Bill McKay Letter, Jon Turtle Letter, Kayla Young Letter); "an amazing father" (Nikki Williams Letter); a "kind and dedicated family man who strives to help others, even to his own fault" (Brian Tochi Letter); a "perfect example of a father" (Carlos A. Guanche Letter); and "an exceptional father and husband ... the kind of father children would be privileged to have in their lives" (Gregory Marquette Letter).

In his professional life, he has strived to help others, been a "great friend" and made the lives of others "better" (Patrick Michael Tupy Letter). Brian Tochi, who has known Mr. Williams for nearly 40 years, and also a victim of an industry business manager's fraudulent conduct, writes in his letter to the Court about Mr. Williams' desire and commitment to help others, knowing of Mr. Williams' transgressions. He writes,

... He was always offering to help others in any way he could no matter whatever position he may have been in. Sometimes it wasn't easy, but he would do what he could for others asking for his help – personally, even



financially ... Throughout his career and over the years to follow, David had ascended to higher and higher level positions within the industry, and all during this time he had always been a valuable friend, was helpful and giving to those who needed his type of knowledge, and (for people needing a leg up) openly arranged access to others – essential ingredients for those trying to succeed in the field of entertainment. All to no benefit for himself.

Exhibit “A” (Brian Tochi Letter)

Similarly, friend and colleague, Gregory Marquette, writes in his letter to the Court that Mr. Williams has been a “key figure in the development of my career ... In an industry that is difficult and complex, he was one of the few who took the time to be helpful, supportive, and kind to me when no other professional would respond.” (Gregory Marquette Letter). Likewise, when he was a “lowly office assistant,” Mr. Williams sought to help screenwriter and director Michael Baumgarten by sharing his knowledge and experience in the film industry (Michael Baumgarten Letter). In another letter to the Court, former Navy Seal, now filmmaker, David Johnson describes Mr. Williams as a “great mentor, a great husband, a great father.” He writes,

In a town famous for being flaky David Williams always was available and made time to see me when I needed him. It was a hard time for me out there in California because I had no family or friends out there initially and on the days that were the worst David would pick up the phone for me

Exhibit “A” (David B. Johnson Letter)

Of significant importance, many of the letters illustrate the devastating impact that Mr. Williams’ incarceration and separation has had on his family, namely, Nikki, Parker, [REDACTED] [REDACTED] As indicated, they have struggled immensely in his absence. Describing how her once close family of five has disintegrated into a family of two over the past several months, [REDACTED] in her letter to the Court, writes,

With my father being away it has been anything but easy on both my family and myself. I try my best to get by day by day with a huge aspect missing in my life but as hard as I try to ignore it I can’t. Sometimes I can push away the fact that my dad is missing out on parts of my life and I am losing a year of memories I could spend with my father but these scary ideas always find a way back into my mind. When I spend time with my friends’ families I can’t enjoy myself without remembering how much fun my family used to have and the time we would all spend together when my dad was home. Our family used to have family dinners at every chance we could and would always watch movies together but since my dad has been gone I have never been more lonely and can’t remember the last time my family actually sat down and enjoyed a dinner ... Since he has been gone I have a lot of trouble sleeping because I don’t feel safe when it is just my mom and I. When my brothers are home it is a lot better but without my dad I feel not as secure and there is just this constant feeling that something is missing.

Exhibit "A" ( [REDACTED] Letter)

[REDACTED], who describes in his letter his father as the one who has "shaped [him] into the "person [he is] today" and "who he wants to be like when he has kids, highlights the series of "hurts" and "helplessness" he has experienced while Mr. Williams has been incarcerated – the absence of Mr. Williams at important and critical events such as senior night as part of his lacrosse team, high school graduation, Thanksgiving and the recent fires in Southern California. See Exhibit "A" ( [REDACTED] Letter). Parker, in a moving letter, describes how he has tried to step into Mr. Williams' role as a father and its many functions and discovering the "burden attached to each one." (Parker Williams Letter). To fulfill this role, Parker withdrew from Arizona State University, worked two jobs over the recent summer to help with expenses, helped Carter attend college and enlisted into the United States Marine Corps. See Exhibit "A" (Parker Williams Letter). Such actions are exemplary and highlight who David Williams is: a man at his core who seeks to help and sacrifice for his family and others.

Nikki Williams describes her husband as a "kind and giving person" whose "first response is always 'What can I do to help?'" Exhibit "A" (Nikki Williams Letter). In her letter to the Court, she paints a picture of her now broken life, in the aftermath of Mr. Williams' incarceration. She writes,

The effect of David's actions and resulting incarceration has been devastating. People have been hurt and we have lost everything!! We have lost our home, savings and security. Some people do not want to be associated with us now. We are dependent on friends and family. My oldest son Parker, dropped out of Arizona State University and joined the Marines so he wouldn't be a financial burden to our family. My middle son [REDACTED] Hasn't had his father around for any of his Senior year life moments ... The effect on our daughter is immeasurable ... The loss of her father, her home, lifestyle, the uncertainty if she will ever be able to live with her father again, if she will be able to stay at the Catholic school with all of her friends, knowing that we are financially dependent on family and friends, the embarrassment of having a father that is incarcerated is more than she can handle.

The effect on me is measured from our children. To see everything that they have lost and what they have gone through is so hard. I have also lost my best friend. I am very lonely. David and I did everything together from going shopping at Costco to having Starbucks at Barnes and Noble on Sundays. Now I eat every meal alone because my children stay away because they find the home depressing without him and they are trying to get through the day and being home reminds them of their situation.

David Williams is a good person, father, son, friend and husband. I know David has suffered because of the effects his actions have had on his family and to those he has harmed. He values his children above anything and the

pain that he has caused everyone that he loves is punishment for him. Keeping him from his children would hurt them more. His family needs him at home and is suffering immensely without him. The scarring effect of his incarceration on his family can never be truly measured.

Exhibit “A” (Nikki Williams Letter)

For Mr. Williams, the last 9 months at the MDC have been awful. He has lived with extreme fear and anxiety each day. He has witnessed violence, including stabbings and fights. He has been threatened by inmates with extortion. He has observed inmates who are mentally ill, suffer exacerbations of their serious conditions because of the violent and chaotic nature of prison life at the MDC. His unit has been in “lock down” over 20 times.<sup>7</sup> While it has been a traumatizing experience, Mr. Williams, consistent with Nikki’s remarks in her letter, has tried to help other inmates. He has counseled inmates who are struggling with personal problems, and taught other inmates preparing for their GED exam. He became his unit’s manager and oversees the distribution of toiletries and other items to new inmates to help them get settled.

There is no question that continued incarceration, which in our respectful view is unnecessary, would have a detrimental and irrevocable impact upon Mr. Williams, his marriage and family.

**d. Analysis of the Purposes of Sentencing as they Relate to David Williams Favors a Sentence of Time Served with Home Detention and Community Service**

Pursuant to § 3553(a), the Court must consider the purposes of sentencing, specifically “just punishment,” deterrence, recidivism and protection of the public, as they relate to Mr. Williams. These purposes in this case all would be satisfied by a sentence we respectfully propose.

Generally speaking, “just punishment” is based upon moral culpability and asks: What penalty is needed to restore the offender to moral standing within the community?” *United States v. Cole*, 662 F. Supp. 2d 632, 637, (N.D. Ohio 2008). Further incarceration is not needed to restore David Williams to moral standing within his community. After nearly 9 months of incarceration, separation from his wife and children, and lessons he has learned, his moral compass is now oriented in the right direction and where it needs to be. The imposition of a sentence involving continued incarceration now will not have any further constructive retributive effect. Rather, it is likely to have destructive and permanent impact on him and his family.

Gregg Russell, a friend and victim of Mr. Williams’ false pretenses, in his letter to the Court, writes,

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<sup>7</sup>Units at the MDC are “locked down” as a result of violence or the finding by staff of contraband, including drugs and weapons. During a “lock down,” inmates are locked in their cells indefinitely. They are unable to leave their cell for any reason. In the over 20 “lock downs” that Mr. Williams has experienced, they have lasted from one to seven days.



I have come to believe that I was consistently misled by David about the financial viability of these projects and given the false impression that funding for these projects was imminent. These falsehoods caused me considerable personal angst and greatly damaged my professional reputation with friends that I had approached to consider supporting these projects ... That being said, I know David to be a thoughtful and caring father and husband ... I am certain that he feels that he has failed his family as a provider and will live with that regret for the rest of his life ... I also know that David is deeply remorseful about the actions that he chose to take and has accepted responsibility for the situation he finds himself in at this time. I don't believe that serving additional amount of time being incarcerated serves any useful purpose as he attempts to rebuild his future life with his family, friends and former business associates ... I also believe that he has paid a devastating, but justified price for his illegal actions.

Exhibit "A" (Gregg Russell Letter).

Separation from his family, community and all that is familiar to him, for approximately the last 9 months, has had a permanent impact on Mr. Williams. Continued incarceration is likely to increase Mr. Williams risk of recidivism. He will become institutionalized, further lose positive and constructive family and social supports and gain negative influences, and be removed from employment and or rehabilitative opportunities. His current risk of recidivism is low as he is focused on rebuilding his life in the face of great uncertainties. He is focused on securing any kind employment, being productive, earning back the trust from his wife, children, family, friends and colleagues and making the victims whole again. Further incarceration is unnecessary to guard against any perceived risk of recidivism, or to protect the public.

Separation from his family, community and all that is familiar to him, for approximately the last 9 months, has had a pronounced impact on Mr. Williams. Prolonged separation through continued imprisonment will increase Mr. Williams's risk of recidivism and needlessly test his resolve and determination. He will return to a broken and separated family, with even greater financial problems. Returning to this type of situation would be inconsistent with the purposes of sentencing, and present challenges that Mr. Williams, and many others, would have immense difficulty handling responsibly.

With respect to the need for a sentence to afford adequate deterrence to criminal conduct, we doubt that the imposition of a sentence involving continued incarceration, in this case, would have any bearing on deterrence and we are not aware of any empirical data establishing that it would. The data is to the contrary. There simply is no evidence that increases in sentence length reduce crime through deterrence.<sup>8</sup> In one of the best studies of specific deterrence, in the pre-

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<sup>8</sup> Michael Tonry, *Purposes and Functions of Sentencing*, 34 Crime and Justice: A Review of Research 28-29 (2006).



guideline era, no difference was found, even between probation and imprisonment.<sup>9</sup> The von Hirsch analysis, commissioned by the British Home Office, examined penalties in the United States and in several European countries. It concluded that the “correlations between sentencing severity and crime rates . . . were not sufficient to achieve statistical significance,” and that “the studies reviewed do not provide a basis for inferring that increasing the severity of sentences generally is capable of enhancing deterrent effects.” Additionally, Mr. Williams has been specifically deterred based on his own embracement of wrongdoing, acceptance of responsibility and the 9 months he has endured at the MDC.

The reason for this is that potential criminals are not generally aware of penalties for their prospective crimes, do not believe they will be apprehended and convicted, and simply do not consider sentencing consequences in the manner one might expect. Tonry, *supra*, at 28-29. “There is generally no significant association between perceptions of punishment levels and actual levels. . . implying that increases in punishment levels do not routinely reduce crime through general deterrence mechanisms.”<sup>10</sup> This is particularly true in the instant context. There is minimal evidence suggesting that lengthy prison sentences have any significant deterrent effect on potential offenders from backgrounds similar to that of David Williams. Finally, [REDACTED], return to work in the film industry is also low, and likely impossible.

Further, attempting to justify punishment of one person as a means to deter others, raises serious questions of morality in that it presents the issue of whether it is moral to punish one person beyond what is necessary and just for that person to promote deterrence of others. “Juridical punishment can never be administered merely as a means for promoting another good either with regard to the criminal himself or to civil society, but must in all cases be imposed only because the individual on whom it is inflicted has committed a crime. For one man ought never be dealt with merely as a means subservient to the purpose of another.” Immanuel Kant, *The Science of Right* 195 (W. Hastie trans., 1790). General deterrence simply is not a good reason for a prison term, especially for Mr. Williams. See *Cole*, 662 F. Supp. 2d at 638-40.

As we believe the foregoing amply demonstrates, there is no need to incarcerate David Williams for a lengthy period of time to sufficiently punish him, deter him, to deter others, or to prevent recidivism. In this case, for this defendant, all of the purposes of sentencing can be satisfied by a sentence of time served along with supervision, home detention and community service.


### 3. Conclusion

David Williams has done the most that our society desires from a person who has committed serious offenses: he accepted responsibility for his actions, [REDACTED]


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<sup>9</sup> See David Weisburd et al., *Specific Deterrence in a Sample of Offenders Convicted of White Collar Crimes*, 33 *Criminology* 587 (1995). See also Andrew von Hirsch, et. al., *Criminal Deterrence and Sentence Severity: An Analysis of Recent Research* (1999).

<sup>10</sup> Gary Kleck, et al., *The Missing Link in General Deterrence Theory*, 43 *Criminology* 623 (2005).



Mr. Williams has experienced a “serious fall from grace. He has lost everything. His reputation is forever damaged” (Jon Turtle Letter). As a result of his arrest and approximately 9 months of incarceration, Mr. Williams has had substantial time to reflect upon his past failures and transgressions. Further, he is aware of the seriousness of the offenses he committed, has fully taken responsibility for his actions, and learned significant life lessons. Finally, he has been punished and deterred from future criminal conduct and is eager to return home to his family, find stable employment and do his best to care for his family. Mr. Williams is prepared to accept his sentence. He has been humbled and appreciates that he has “failed” (*see* Exhibit “A” - John Doxsie Letter). He is remorseful and is ashamed for the harm he has done to victims and by the example he has shown his wife, sons, daughter and family. His life and financial circumstances are in ruins. His future is bleak. Approaching 60 years of age, he has little left and must rebuild his life and earn back the trust of many. He is prepared to do so and knows that there is no room for error if he is to regain the trust and support of his family (*see* Exhibit “A” - John Doxsie Letter, Julie Doxsie Letter, Jill W. DeMichele Letter). Essentially, real challenges await Mr. Williams and he will experience the punitive consequences of his actions for the remainder of his life.

We believe that when all of the factors and objectives of  and 18 U.S.C. § 3553(a) are weighed, a sentence of time served, along with supervision, home detention and community service is “sufficient but not greater than necessary,” in this case, for this defendant, James David Williams.

Respectfully submitted,

/s/

Anthony Cecutti  
Jennifer Louis-Jeune

*Counsel for James David Williams*

# Exhibit "A"

October 1, 2018

The Honorable Kimba Wood  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

Dear Judge Wood:

After learning of David Williams indictment and conviction, I voluntarily came forward to offer my assessment of David's life, his work in the film industry and the hope that whatever lessons he has had to learn...he has learned and can now go back into society resolved to do what is right.

While I knew him professionally, for more than a 10-year period, I always found him to be equally committed to family, as well as his work.

I have been in the film industry for more than 35 years. During those years, I have produced over 30 documentaries, docu dramas and feature film. My work has been distributed on the BBC, PBS, CBS, NBC, ABC, Netflix, Amazon and Fox. Attached is my professional CV.

Over the 10 years that I have known David Williams, I found him to do business on a fair basis. He worked very hard to fulfill his commitments to me. During my tenure, I had not witnessed his involvement in the criminal activity that he accepted responsibility for. Throughout the course of the many years that we did business together, David attended meetings, at my request, and provided all of the necessary professional help to advance our business arrangements. One example is the business deals we did with Samuel Goldwyn Studios. He was professional. His various commitments and agreements were always above board and followed the best practices in our industry. With me, I never found his business practices to be unethical or illegal. If the opportunity presented itself, I would seriously consider doing business, again, with David. David has a great deal to contribute and should be given a second chance, once he has paid his debt to society.

On a personal level, I know him to be a devoted family man. Often, our typical business meetings would shift to his children. He cared deeply about his sons and daughter. While this might seem to be a normal practice, to most people, in the culture of Hollywood, David was an anomaly. I cannot tell you how many times, I would place a call, into David, and he would be at a sports match, with one of his children, in the middle of the afternoon. The result: we would have to set a new time for the business call. Again, he is the only one I did business with, in the Hollywood culture that put his family ahead of business.

In the years that I knew him, he would take annual family vacations, in an RV. In the world of "Hollywood cool," that flies first class to exotic islands in Tahiti, this raised eyebrows in our world. I would ask: why? His answer: I wanted quality time with my family. Nobody in our world rides around with our families in a RV. Yet, every year that I knew him, he would set aside time to be with his family on extended RV road trips.



The reason I decided to send this letter was also to express my affirmation of his commitment to his daughter, at a critical time in her life. She needs her father. I fully understand the need to mete out justice. And, I am sure it is an exceedingly tough responsibility for a judge. However, should you find the basis to extend a measure of compassion to David, it is my considered opinion, that, he will not regard whatever you decide, casually or deserved. From what I know of his character, he has learned the lessons he has needed to learn. And, he will return to society a wiser man.

I know that upon his release, whenever that will be, it will be difficult, given his criminal record to seek and gain employment. I am prepared to help him find employment and to support him in any way that I can.

Thank you for considering my thoughts, on this matter.

A handwritten signature in black ink, appearing to read "Bill McKay", with a long, sweeping horizontal stroke extending to the right.

Bill McKay



**William McKay** has for more than thirty years thrived as an author, filmmaker and researcher. Mr. McKay has produced and written over 35 television specials, documentaries, radio programs, and docudrama films. Recently his docudrama series "Against All Odds: Israel Survives" became an international television hit in 2006-2010. He was the writer/producer of the feature film, "Billy: The Early Years," which was released theatrically in the fall of 2008. His most recent book, which he co-authored with Ken Abraham titled, "Billy: The Untold Story of a Young Billy Graham," was published by Thomas Nelson and was released in 2008 to coincide with the theatrical release of the film.

Previously he authored, "Vital Signs: Emerging Social Trends and the Future of American Christianity" with George Barna and "An American's Quest for Peace and Prosperity." He provided marketing services for the Christian Slater film, "Ten Commandments" and the Broadway play, "Irena's Vow." In 2009 and 2010 he produced two documentary films, "Taking the Hill" and "Under Fire." In 2013 he produced the documentary feature, "Israel, My Home," based on the life of famous French filmmaker and artist Andre Djaoui, who recently immigrated to Israel. He most recently directed, Neo-colonialism: How the West is Keeping Africa Poor.

Currently, Mr. McKay, along with his son, Grant McKay, are in pre production on two docudrama series, "Turning Points: The Miracle of America" and "God's War: Miraculous True Stories from the Second World War." They are also developing a feature film, entitled, "Crown of Thorns," with Hollywood veteran, Ted Field (founder of Interscope Records and producer of more than eighty blockbusters, such as, "Three Men and a Baby," "Mr. Holland's Opus," "Jumanji," "Last Samurai," and the "Chronicles of Riddick"). The film is a political thriller on the life of Jesus, told though the eyes of Pontius Pilate and his wife Claudia.

#### CURRICULUM VITAE

##### **EDUCATION:**

B.S. – Vanguard University  
Masters Mass Communications

##### **AREAS OF SPECIALIZATION:**

- Filmmaking
- Media and communications
- Business management
- Research and polling
- Consulting
- Writing

**EXAMPLES OF WORK:** (selected sampling)

Television (Executive Producer, Producer or Co-Producer):

"Turning Points: The Miracle of America" 2018

"Neo-Colonialism: How the West is Keeping Africa Poor" 2018

"Israel, My Home," 2013 Netflix original production

"Under Fire: Personal Stories From The Scorched Summer of 2006," 2010

"Taking the Hill: A Warrior's Journey Home," Amazon original production 2010

"Against All Odds: Israel Survives," (13-part series) starring Michael Greenspan (CNN), 2006 - 2010 TBN & Netflix (Most watched series in Christian television history. 8 million primetime viewers in the USA, according to Nielsen ratings. Ran weekly in primetime for two years. Shown on television in 132 countries. See Project Summaries for more info).

"Great Hearts of Courage," 2009 PBS & Netflix

"Great Souls: Six Who Changed A Century," (series) starring David Aikman, 2005 PBS & Netflix (See Project Summaries for more info)

"Japan: Searching for the Dream," 2002 (See Project Summaries for more info)

"Tortured Peace," 2001 BBC & Fox News

"The PLO: From Exile to Power," 2000 BBC & Fox News

"Vanishing Peace: The Aftermath of Oslo," 1999 BBC and Fox News (See Project Summaries for more info)

"When Will the Dying Stop," starring Charlton Heston (Syndicated Network: NBC/CBS/ABC).

"The World's Best Kept Secret," starring Susan Howard (Syndicated Network: NBC/CBS/ABC).

"Generation In Search Of Truth," starring Johnny Cash (Syndicated Network: NBC/CBS/ABC).

"Ballad of the American Teenager," starring Glen Campbell (Syndicated Network: NBC/CBS/ABC).

"Give Me A Reason To Live," starring Barbra Mandrell (Syndicated Network: NBC/CBS/ABC).

**Feature Film (Producer & Writer):**

"Billy: The Early Years" - Theatrically released 2008. Released on television on Inspirational Network (INSP) in 2013 and on Gospel Music Chanel (now UPTV) in 2012. Additionally released on Netflix.

"Against All Odds: In Search of a Miracle", (100 min. docudrama) starring Michael Greenspan, 2005 Momentum Releasing (TBN & Netflix) (Shown in 132 countries).

**Radio (Owner/Producer):**

IMS News Washington, DC 250 Stations US; International: Commonwealth Countries

**Published Books (Author, Co-Author):**

"Billy Graham: The Early Years," Thomas Nelson, 2008

"Against All Odds: In Search of a Miracle," 2006

"An Americans Quest for Peace and Prosperity," 1992

"Vital Signs: Emerging Social Trends and the Future of American Christianity", Crossway Books, 1984

**National Research/ Polling (Pollster):**

"Japan Report," Gallup Organization and American Trademark, 2001-2002

"Profile of the Christian Marketplace," American Research Corporation, 1984

"American Families," American Research Corporation, 1980 – Completed for the Whitehouse

Over Forty national studies for private corporations





Brian Keith Tochi  
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brian.tochi@the-awe.com  
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Valley Village, CA 91607  
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The Honorable Kimba Wood  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

September 27, 2018

Dear Judge Wood,

In the nearly 40 years that I have known James David Williams, I have seen him rise to the top of his field, and I have also seen he and his family completely devastated by the consequences of his actions - and now the resulting affects of his incarceration. Please know that whether he is at the top or the bottom in his life, David is and will always be the kind and dedicated family man who strives to help others, even to his own fault.

I was incredibly saddened to learn of his misdeeds, and it came as huge shock to learn of the crimes for which he has pled guilty to. However, I feel compelled to write this letter because I would like you to consider my words when deciding David's sentence.

In addition to being a businessman, I have also been a well-known actor for many years, with a multitude of popular roles in television and in films. I say this because I have been around an immeasurable amount of "industry" types whose entire focus is to make names for themselves within the industry, whatever the cost, and with no consideration for others. I would also like you to know that I am a victim of an entertainment industry business manager who defrauded me (and several others) of millions of dollars.

I bring this to your attention because I have a unique experience that many others do not have, and more significantly, as a victim, I understand the implications resulting from the actions of some who have taken advantage of others within the entertainment industry.

I do not in any way condone David's actions, but I wish to ask for your leniency in sentencing because of the type of person I have known in him throughout these many years.

Back in the early 80's, I met Mr. Williams through a mutual friend while he was visiting California. He was smart, funny and extremely good-natured. We hit it off immediately.

We kept in contact, and when he decided he wanted to move to the West Coast to try to work in Hollywood, it gave me the opportunity to oblige him. I was leaving to film a movie on location, so he offered to care for my home while I was away – I accepted. He ended up staying approximately 8 months, so when I returned from filming I had the opportunity to get to know him even better.

He eventually moved out, but we continued our friendship. Over the years, he had taken on many, many different types of entertainment-based jobs. In the beginning, most were menial, but it didn't matter, he was diligent in doing the best possible job he could, no matter the level of position or difficulty of the person he worked for. That's saying a lot, because there are a lot of horrible people working in entertainment.

Throughout this time, Mr. Williams was pleasant, caring, helpful to a fault, and always a friendly asset to everyone he met. He was always offering to help others in any way he could no matter whatever position he may have been in. Sometimes it wasn't easy, but he would do what he could for others asking for his help - personally, even financially.

Throughout his career and over the years to follow, David had ascended to higher and higher level positions within the industry, and all during this time he had always been a valuable friend, was helpful and giving to those who needed his type of knowledge, and (for people needing a leg up) openly arranged access to others – essential ingredients for those trying to succeed in the field of entertainment. All at no benefit for himself.

In Hollywood, many times the lines get blurred between what is the right course of action and the wrong ones. I will not make excuses for David, but please try to recognize the culture and difficulties of that industry and how doing the wrong thing may be unwittingly perceived as permissible, especially if the intent is to make good to the victim via the intended success of an entertainment property.

Remember, I have been a victim of somewhat similar circumstances, but can relate and understand how someone like David can get caught up into such a bad situation.

Please know that David has been an amazing and caring father for all three of his children, [REDACTED] Parker and [REDACTED] and he has been a loving and devoted husband to Nikki, his wife. His children are similar to David in that they are loving, smart and considerate of everyone. His wife is an Angel. They are experiencing an unbearably difficult time without him.

There is no excuse for what David has done to others. I wish to ask for your compassion in deciding his sentence. I am sure he will do his very best to make restitution to those of whom he had wronged, but in able for him to do so, he would need to be released back into the society, not incarcerated.

I believe this experience has taught him very serious lessons, ones that he will spend his lifetime trying to make right and will seek to correct. I am committed to helping and supporting David, and look forward to hopefully working with him on future projects.

Judge Wood, I ask for your compassion in deciding David's sentence. I am sure he will do his very best to make restitution to those of whom he had wronged. I humbly ask you to take into consideration all the truly great attributes that David possesses, and please know that when he is out he will be the model citizen I know he can be – as well as an even better person.

I wish to sincerely thank you for taking the time to read this, and hope this has given you a small insight into this truly good-hearted man with whose future you are deciding.

My very best regards,

A handwritten signature in black ink, reading "Brian Keith Tochi". The signature is written in a cursive, flowing style with a large initial 'B' and 'T'.

Brian Keith Tochi

October 5, 2018

The Honorable Kimba Wood  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

**RE: James David Williams**

Dear Judge Wood:

From everything that we have seen as a family that has been close to James David Williams, he has been nothing but a stellar father, an active member of the community and a good friend. My family and I have known David since 2006 and have spent quite a lot of time with him and his entire family. We met through our oldest sons, when they were in the third grade.

Over the last several years, we have spent a lot of time with the Williams family in many social situations, including family dinners, parties, and other social events at our kids' respective schools. We have also traveled with the Williams family extensively on summer vacations over the past several years.

In all of those scenarios, David has been nothing but a perfect example of a father. He has been loving, attentive and completely involved with his family at all times. He has always been one to be involved with anything that his kids have wanted to be involved with and has helped foster them through adolescence in a very warm and loving environment.

The impact of David's absence at social events has been palpable. He is an intelligent and knowledgeable gentleman, who is nice, personable and caring about others. My wife, kids and I have spent a considerable amount of time with him and his family over the last few years and he is sorely missed at all of our social events and regular dinners that we had with his family.

The impact of his incarceration, especially being so far away from home has been devastating to his family. His middle son, [REDACTED], has recently graduated from high school and he has missed that ceremony. More importantly, he has not been around to help guide him with his college decisions and transition.

Additionally, he has a daughter, [REDACTED] who is a teenager and needs a lot of guidance and a father figure in these formative years. Clearly, his being away has impacted his relationship with his daughter and his influence in helping her through these difficult times.



Finally, his eldest son Parker has recently decided to join the US armed services in an attempt to get through his college in a way that is less disruptive financially to his family, since he understands the impact of this situation very clearly.

In summary, while I realize that he is convicted of fraud offenses, I don't think that this diminishes who David is at the end of the day. He remains a dedicated father, community member and friend. I will support him when he is released in any way I can.

Sincerely,



Carlos A. Guanche, MD

The Honorable Kimba Wood  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

Dear Judge Wood,

My dad has shaped me into the person I am today. Through all of the difficult times in my life he was there. For example, when my grandma died it was hard for everyone but he kept making sure that I was alright. Then sadly a couple days after she passed, my favorite dog got killed by a coyote. And as soon as I was over the death, my dad did everything he could to find a new dog that would make me happy. Another hard time he helped me out with was when I found out my girlfriend was cheating on me. I was about to rush out of the house with so much rage that I could have got into a car accident. But he talked to me about how I should be treated. He also told me that it is just a learning experience.

My dad has always been such a good role model of what a dad should be that I want to be like him when I have kids. He did all of the mainstream father and son activities and he exceeded and did a lot more. For one example my brother and I used to play airsoft, which is like paintball, and almost every time my dad joined in and we had so much fun. Also my dad was there for my friends. One of my friend's parents got a divorce and my dad was making sure he felt at home with our family. And he told him if he needed anything to just call him. But recently when my dad went to jail he was not there when I needed him the most. In 5<sup>th</sup> grade he convinced me to try a lacrosse introduction class at school because he thought I would like it. So I tried it and it was so much fun it became my main sport. 7 years went by and my team did very well my senior year but my dad wasn't there for any of the games.

But what came next really hurt. It was our senior night. They had posters of all of the seniors and they had a huge ceremony where all of the seniors run through the tunnel of all of the other players and take pictures with their family at the end. So I just took my picture with my mom and my sister. After that so many people were like where was your dad. It was really embarrassing. Another moment was my high school graduation. Everyone was taking photos with their family. And all I saw was an empty spot of where my dad should have be sitting. That was very depressing for me and I don't even want to imagine what my dad was feeling. Something more recently was when there was the huge fire in Calabasas and I felt helpless because there was nobody at home except my mom and my sister and my mom and sister could only pack so much inside a car. It would have been nice for my dad to be there to help them evacuate so if our house did catch on fire we wouldn't have to worry that we could lose all of our possessions.

Thanksgiving was very hard, because we always have our traditions like decorating the Christmas tree after Thanksgiving day. We ate Thanksgiving at a friend's house because it would just not feel right with three people. This has been very hard for me and my family. It has also been hard for my Dad because not only has he missed so many milestones and events he has missed out on our day to day lives which is what matters most to him. This is why I think he has served his time and should be back with his family. We need him with us!!!!!!

Sincerely,

A solid black rectangular box used to redact the signature of the sender.

September 24, 2018

The Honorable Kimba Wood  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

Dear Judge Wood,

In a town famous for being flaky David Williams always was available and made time to see me when I needed him. It was a hard time for me out there in California because I had no family or friends out there initially and on the days that were the worst David would pick up the phone for me.

I was a graduate of the United States Naval Academy in Annapolis Maryland in the class of 2002. Upon graduation I was commissioned as a Surface Warfare Officer in the Navy aboard a frigate and did my first tour overseas in 2002-2003. After returning stateside I had an opportunity to switch services to the US Army where I joined the airborne infantry. It was an exciting time for me getting to do Infantry School, Ranger School and Airborne School all in the same year. Shortly after I was out of Airborne School I was assigned to the 82<sup>nd</sup> Airborne Division in Fayetteville North Carolina. After leading a platoon for a short time, I got the chance to join a military transition team (MiTT) where it was my job to train both an Iraqi recon platoon and a Mechanized Battalion in the Eastern Half of Baghdad. As the operations officer it was my responsibility to plan all coordinated missions for both my unit and to assist the Iraqi Ops team with theirs. I was there for over a year operating in and around Sadr City. It was an exciting and dangerous time but at the end of it I felt I had done my duty and decided to head out to Hollywood to pursue my other dream in the film industry.

I had been working as a military advisor in the film industry for about two to three years before I met David Williams. I was fortunate to get some regular work right out of the gate, but as time went on I realized that being an advisor alone was not going to get me to the career that I wanted. My writing partner and I began to write as well as be consultants. This is how I first met David. He hired us to proof a World War 2 Script for him titled "No Better Place to Die" about the 82<sup>nd</sup> Airborne on D-Day. This was special for me because I was in the 82<sup>nd</sup> Airborne Division and wanted to make sure they looked great on film. This project began a collaboration between me and David that has continued until this day.

As I mentioned before the film industry was difficult and lonely industry to be in. When you are on set working on a project it is exciting and there is nothing like it. However, the in between, the waiting and trying to make ends meet is the hardest part. During this time, I started discussing with David where would I go next and how I could become a working director. As he became more of a mentor than a client we discussed my best steps for getting into a film career. It first began with giving both myself and my writing partner movie types that would sell and be relevant. We picked stories that could have budgets that would be something that could be made. As we would write, work and live our lives David would always invite me to events, lunches or networking events as his guest so that I could get practice talking shop with industry people. At one of the events we came up with the idea that it might be good for me to attend graduate school to get the filmmaking skills that I was lacking. I attended a two-year master's program at The New York Film Academy in Burbank California. This is



when I came across the idea that became the script that David and I ended teaming up on called X-P-Dite. A thriller that my cowriter and I wrote that would be directed by myself. This opportunity did not come to fruition due to David's current circumstance, but I believe had it been made that all of his filmmaking, guidance and mentorship would have led me to be a full-time working Director.

David's mentorship was more than just about film on many frequent occasions we would discuss boats and family. I a single male in the worst city to date on the planet it was nice to be able to bounce things off a more senior family man who had been there and done that. One of my most fond memories of David and I was when we camped in Mount Whitney California as a part of our yearly camping with his family and other families. He and I were paired up as hiking buddies and spent over five hours on the trail together where I would say you can truly get to know the character of a man when you are hiking a grueling hike straight up a mountain. Although not in the military himself I truly believe that he has the heart of a warrior. In closing I think that he is a great mentor, a great husband, a great father and if given the chance again I would work with him in a heartbeat. Thank you again for your time.

Best,

A handwritten signature in black ink, appearing to read "David B Johnson", with a stylized flourish at the end.

David B Johnson

Denise Epstein

---

11000 Winnetka Avenue, Chatsworth, CA, 91311

PresidentWVnlym@gmail.com

The Honorable Kimba Wood  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

Dear Judge Wood:

Our daughters met in a jacuzzi and argued over who would be the *Lion King* – they were three-years-old and thirteen years later they are still inseparable. Our families met in Maui, we lived in the same community, attended the same school, and continue to take family vacations together every year. [REDACTED] their middle son is one of my sons best friends.

My children have learned so much from David over the years. He never let his children disrespect their mom, never raised his voice, the boys had chores, and they made family dinner a priority – in fact my children still call them Mr. David and Ms. Nikki.

Nikki Williams and I were the founding members of The West Valley Chapter of the National League of Young Men, Inc. a non-profit for mothers and sons in high school. David is the only father who helped us at our large meetings and worked with the young men on essays and etiquette lessons. We couldn't have started this chapter without his support.

I am concerned about his daughter, [REDACTED] who has struggled with her grades since he has been incarcerated. David has always been the rule enforcer in the family and given the circumstances it has been challenging for Nikki to take on that role.

I would still entrust David and Nikki to raise my daughter if we couldn't – it is also my daughters choice as well.

urbansand818@gmail.com

Emmy Lee Williams  
8102 Highwood Drive, Apt. B206  
Bloomington, Minnesota,  
55438

August 1, 2018

The Honorable Kimba Wood  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, New York, 10007

Dear Judge Wood,

I am James David Williams' mother. I have loved him since the day he was born. The man indicted is not the child we cherished, the teenager and young adult who added such joy to our lives, the adult who had an enviable career. He now is a man who made a tragic mistake, but that mistake does not define my son whom I love with all my heart. The words, **LOVING, GENEROUS, KIND, FAITHFUL, HARD WORKING** define him.

**LOVING:** No one loves his family more. They are the most important part of his life, not only his wife and children but his parents and sisters. Separation from them has been the most difficult part of his incarceration. Nikki and David are a couple who have done everything together, two halves of a whole. He is an exceptional father, coaching his boys teams, cheering on the sidelines for every game. He loves to "fix things" and spent many a happy hour passing these skills on to his sons. His wife, Nikki, is his true soulmate. He adores her as he does his children. As his mother I have always had a special bond with him. He was my anchor during his father's illness and death. He does his best to make me a part of his children's lives. I was not the "other Grandmother" even though I lived thousands of miles away.

**GENEROSITY:** could be his middle name (although I like DAVID). He and Nikki have shared their home with family and friends. Their spare room became a haven for many. When life in Louisiana became unbearable for his mother-in-law he opened not only his home but his heart. She lived with the family for 16 years until her death in 2015. The rapport he developed with her was remarkable, a bit of teasing mixed with love and respect. I, as his mother, often envied her. She was with him and I was not! But it made me happy to know she also loved him. One incident sticks in my mind. I was visiting during the Christmas holidays. Donna was in the hospital and despondent over missing the Christmas morning excitement. David insisted the children wait on the stairway until he was able to connect a video feed to her hospital room. I sat

children wait on the stairway until he was able to connect a video feed to her hospital room. I sat on the stairs also and remember little [REDACTED] whispering to me, "Grammy, can you peek and see if Santa brought me my rabbit?" Love and concern for his mother-in-law took precedence over his children and Santa.

When his nephew graduated from college and began his career as an aeronautical engineer he moved in with Uncle David until he could afford an apartment of his own. When lead was discovered in paint friends were given 24 hours to vacate their home. They called David and Nikki, moved in and stayed two months. A college friend almost became a permanent "guest" and his college room mate and best man at their wedding, looked upon their home as his when on leave from the Air Force. I do not know the financial arrangements but I am certain that sharing your home and family with others for a long period of time can be a burden, both financially and emotionally. I am in awe of their generosity.

COMPASSIONATE: His compassion and empathy for others is commendable. He is truly special, with his father's sense of humor and the ability to LISTEN. His circle of friends love him as do I. One example of his consideration happened in the 80's. Interest rates skyrocketed and his father and I had 3 properties and a floundering business. We were struggling to keep our heads above water. David was at ASU and took it upon himself to finish the semester, find a part time job to help with expenses and enroll in a Community College until we were able to send him back to ASU.

FAITHFUL: He was a deacon in his church at the age of 16, the youngest in the Presbytery. He ushered in the Bel Air Presbyterian Church as a young married. Ronald and Nancy Reagan were parishioners. We were visiting one Sunday and David was ushering. He seated us directly across the aisle from the Reagans. A real treat for us Midwesterners. The Presbyterians have a "meet and greet" moment when you are invited to shake hands with someone near you. I got up to greet the Reagans and was immediately surrounded by the Secret Service. ...one of those OH MOM... eye roll moments.

AMBITIOUS AND HARD WORKING: As a teen-ager he became interested in photography. He photographed T-ball teams charging \$1.00 a photo. This, of course, was before smart phones and digital photography. He developed the film in the basement and earned enough to cover his expenses plus a bit to spend on more equipment. In High School he began photographing weddings and special events. I do not know how good he was but I do know his prices were low and his services in demand. By the time he graduated from High School he had saved enough to buy his first car, second hand but drivable.

He is smart, not afraid of hard work and although he has lost everything, his livelihood, his reputation, his home and his freedom I am confident that if given a chance he will return to society a better man able to support his family emotionally and financially once more. I pray he gets this chance. We need him and he needs us.



I am 91 years old. I have loved my son unconditionally since the moment he was put in my arms. His incarceration has been shattering but the thought that I might never see him again is unbearable. I can only pray to live long enough to once more hold him in my arms and hear him say, "I love you, Mom".

Thank you.

Sincerely,

*Emmy Lee Williams*

Emmy Lee Williams

The Honorable Kimba Wood  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

Dear Judge Wood,

I'm writing to you in the hope I can help properly frame the character of my long-time friend David Williams as you decide on his sentencing and in doing so facilitate a just and measured result that meets the needs of both those he has offended as well as those who depend upon him and have loved him for all the good he has brought into their lives.

I first met James David Williams in 1980 during my sophomore year at Arizona State University. Since college we have remained in regular contact over the last 38 years, even when visiting was not an option; which is why his crimes come as such a shock and why writing this letter is so painful.

After graduating college, I entered the Air Force and Dave moved to Los Angeles to pursue a career in the early telecommunications business and later transitioned into the film industry. In later years, I was the best man at his wedding and he was mine. When Dave re-married I was in his wedding party again. I and my family have visited and stayed with Dave and his family in Los Angeles too many times to count over the years and Dave was there for me during my painful and bitter 4-and-a-half-year divorce. Dave allowed me to stay in his guest room for many months after my return from Afghanistan while I recuperated from my tour and tried to deal with all the complex details of a divorce. On all of these occasions Dave fed me, lent me clothes and included me in social events both personal and professional that truly made me feel like a member of his family; his generosity was exceptional.

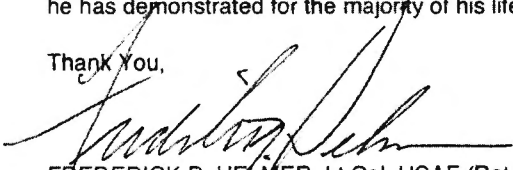
In 2009 my current wife, Mari, first met Dave and the Williams family, where she became especially close with Dave's children and mother-in-law, Donna, spending hours tutoring, mentoring and playing with Dave's children after school or going shopping with Donna each time we visited for extended stays as I transitioned from one-military assignment to the next. In a very real way Dave's inclusion of Mari in his family life showed great character and insight into the needs of others and provided a much-needed therapy for my future wife whose own family life was marred by mental illness and dysfunction. Over the years those many months spent with Dave, living as his guest in his home, were an emotional and financial godsend for me as well, not only as a military member serving in a high cost-of-living area but especially during my long divorce. Being with Dave and seeing how much he cared about his family, community, causes of social justice and the sincere efforts he made to pay forward his success by referring or employing others, all served to reinforce my belief in Dave's good character while rebuilding my sense of family, belonging and hope each time I was recalled to active service. Taken as a whole, Dave's kindness, generosity and yes, good character example, throughout the last 19 years ensured my successful transition back to civilian life from the horrors of war.

There are many other instances of Dave's kindness and good character that have nothing to do with me personally to include supporting numerous charities through his wife's affiliation with the Junior League, sponsoring youth sports or promoting the importance of national defense as a member of the Air Force Space Command Civilian Orientation Committee for which I nominated him. Yet, none of these outward signs of good character can explain his failure to demonstrate the same in his professional life over the last few years. If I had to guess, and knowing him as I do, I would have to say he acted out of fear of failure and the shame he felt it would bring - it's no excuse - but now that we all know he is human and the truth is out in the open, I would ask that you place his failures in light of all the good he has done and the vital role he will need to play as a son, husband, father, uncle and friend to so many that rely on him for emotional and financial support.

It's clear Dave's criminal prosecution has negatively affected Dave, as is fitting, but the toll it has taken on his wife and three children is devastating as they've lost everything, ill-gotten or otherwise. While I've always believed the punishment should fit the crime it's clear to me that neither society or his friends and family will be served, nor will Dave be better rehabilitated, by keeping him incarcerated. The lessons Dave needs to learn now await him outside his prison cell. In that regard, anything you can do to expedite his release I believe will accelerate his contrition, restitution and the necessary absolution that comes from struggling and successfully re-entering the workforce as a contributing, taxpaying member of society.

After my retirement from the Air Force Reserve in 2011 I resumed my work with the State of California as an Employment Program Manager. Each and every day I see ex-felons come to our America's Job Centers and struggle to find gainful employment; it doesn't matter what their education level or skills, and it doesn't matter that California legislation limits disclosure of prior offenses (ban the box), because one way or another a person's convictions seem to come out on the record. The result is chronic unemployment and recidivism. Over the 20 years I've worked in labor it's my experience that the sooner ex-offenders are released the less likely they are to associate with and pick-up the habits of career criminals, white or blue collar. After that it's my experience an ex-offender's success upon release greatly depends on the support system that awaits them on the outside in the form of friends and family who will keep them focused on the straight and narrow road to rehabilitation. I assure you, as one of those who have suffered from both our emotional and financial investments in Dave and forgiven him, I will do my best to support his successful transition outside of prison and see to it that he rediscovers the generous and moral character he has demonstrated for the majority of his life.

Thank You,

A handwritten signature in black ink, appearing to read 'Frederick B. Helmer', written over a horizontal line.

FREDERICK B. HELMER, Lt Col, USAF (Ret.)  
477 Garden Street  
West Sacramento, CA 95691  
Cell/Home: 916-251-6716  
Work: 916-227-2743

November 1, 2018

The Honorable Kimba Wood  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

Dear Judge Wood,

I am writing this letter on behalf of my friend, James David Williams. I have known David for over fifteen years in both a personal and professional capacity. And although I have a tremendous amount of sympathy for the entire Williams family, I am hopeful that much good will eventually result from this traumatic experience.

I met David some fifteen years ago when he joined a group effort to produce a family film called "Come Away Home". David was instrumental in providing helpful, professional insight and production experience to this project. In the end, the project was not as successful as we would have hoped, but David stepped up at the appropriate time with all of the other major players in the project and paid his share of a production loan owed to an aggressive investor. I do not believe that David is singularly responsible for the lack of success for this project.

Since the completion of that project, I have been involved with David on a variety of potential projects that have never fully materialized. I have come to believe that I was consistently misled by David about the financial viability of these projects and given the false impression that funding for these projects was imminent. These falsehoods caused me considerable personal angst and greatly damaged my professional reputation with friends that I had approached to consider supporting these projects. In particular, I introduced my friend Chuck Strauch to David and Mr. Strauch suffered significant financial losses as a result. David's lack of truthful communication with Mr. Strauch over many years caused considerable strain and discomfort in my personal



relationship with Mr. Strauch. There have been similar uncomfortable and damaging situations with other friends and associates.

That being said, I know David to be a thoughtful and caring father and husband. In all of the years that I have known him, we have rarely spoken without speaking at length about our children and wives. I have found that to be a rare commodity in the "Hollywood" landscape. I am certain that he feels that he has failed his family as a provider and will live with that regret for the rest of his life.

I also know that David is deeply remorseful about the actions that he chose to take and has accepted full responsibility for the situation he finds himself in at this time. I don't believe that serving additional amount of time being incarcerated serves any useful purpose as he attempts to rebuild his future life with his family, friends and former business associates.

I appreciate the opportunity of expressing my feelings about David. I believe this is an all too familiar story about a decent family man finding himself in some very difficult circumstances and making some incredibly bad choices. I also believe that he has paid a devastating, but justified price for his illegal actions.

Respectfully

A handwritten signature in black ink, appearing to read "Gregg Russell". The signature is stylized with a large, looped "G" and a cursive "Russell".

Gregg Russell  
41 Lighthouse Lane  
Hilton Head Island,  
South Carolina 29928

October 19th, 2018

RE: Reference Letter

Dear Judge Wood:

David Williams has been a key figure in the development of my career. He is one of the first people I met in the film and television industry when I moved to Hollywood. In an industry that is difficult and complex, he was one of the few who took the time to be helpful, supportive, and kind to me when no other professionals would respond. I appreciated his guidance immensely and his expert knowledge of the industry was pivotal in my career direction and subsequent successes.

I have become an accomplished screenwriter, producer, and director for television and motion pictures. And I am the author of a new book, "The Bomb Heard Around the World", which will be released this winter. I write and direct for film and television production companies on three continents. Some of my films and screenplays include "Oba: The Last Samurai", "Legacy of War", "House of Churchill", "Innocents", "All Things Bright & Beautiful", "Fraud Squad", "Body and Soul" (The Billie Holiday Story), "The Unknowns", "Paratrooper", "Bobby Z", and "Genius On Hold". My most recent movie, "Ballad From Tibet", was shot in Beijing, Tibet, and Shenzhen, China and is in release right now in theaters.

I am a Clio Award-winning director and my literary works allow me to pursue my interest in history, socio-political issues, and the human condition as central themes. I am proud to be working at this level in my career, and David has been instrumental in providing me with the confidence and support to pursue these opportunities.

David and I had our first opportunity to work together on the biographical motion picture about the renowned African American music icon, Billie Holiday. I wrote the screenplay and arrived in Hollywood to produce the film. David stepped in immediately and helped me with packaging, distribution, casting, and financing of the project. It was a large-scale, complicated endeavor, and his professional participation and guidance were invaluable in the process.

The second project we worked on together was called "Paratrooper". I also wrote this motion picture screenplay. He sent me to France to research the D-Day event so I could properly detail the Normandy Invasion in World War II. The final product (the screenplay) was exceptional and for a number of years we have been packaging the motion picture to ready it for production. I have had David's support throughout the process and we hope to work together on this in 2019.

A third project is waiting in the wings for us. We have begun developing the true story of Abraham Lincoln and his family after his assassination. The aftermath of this tragic event was remarkable for members of his family and for America. We are working together to create a television series about this period in history and about the political events which occurred after his death. I urgently need David's help to move this important historical television series onto television screens across the nation.

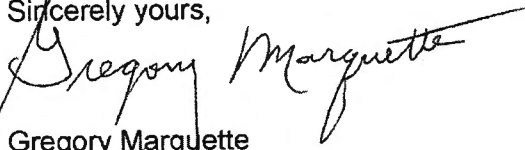
On a personal level, I have spent time with David and his family. He is fiercely loyal and his integrity, where friendships and family are concerned, are unquestionable.

He is an exceptional father and husband. He speaks of his wife in glowing terms, always, and his children are his pride and joy. There is not a week that goes by where he is not participating, attending, and playing 'chauffer' for his children to attend dozens of school and extracurricular activities in California and throughout America. David is, in my estimation, the kind of father children would be privileged to have in their lives.

And while pursuit of success can cause stress and strain in peoples' lives, David's sense of humor and inner strength have allowed him to refrain from distributing these stresses to his family, such that they are not impacted by the effects of the rigors and complexities of our business.

He is truly a man I admire and respect so I hope this letter accurately reflects my confidence and respect for this man, his life, and his family.

Sincerely yours,



Gregory Marquette  
Ph. 323-633-3108

Honorable Judge Kimba Wood:

When I was arrested by ten armed law enforcement officers at the Los Angeles Airport in front of my entire family, my entire world crumbled. I was completely devastated, my family was destroyed. But that day over two and a half years ago was only the beginning of this tumultuous journey. In the following days I read the many articles about myself and my co-defendants. I was destroyed by the news reports. My career and my ability to support my family had been irreparably destroyed forever. I had helped to get many movies produced and distributed over my career, and now I was being called a con man in every form of news media. In the many film projects I had been involved with, I had the intention of making the films successful and being sure that the investors received their money back with profits. But I wasn't honest with the investors. [REDACTED]

[REDACTED]

I can't begin to express my embarrassment, my shame and my remorse for my actions.

I used my experience and knowledge to get people like Bill Busbice, Dr. Ishmael Silva, David Tengdin and several other good trusting people to invest their hard earned money under false pretenses. I was always hoping that it would work out. It did not work out. It could not have worked out because it was a house of cards built on the lies that I told people who believed in me.

I have caused harm to people, private investors and companies, all of whom put their trust in me, and believed in me. I have betrayed their trust. When I realized this, that's when I knew that I had to plead guilty. [REDACTED]

[REDACTED]



Since that time, I have resided at the Brooklyn Metropolitan Detention Center. I'm living over 2,500 miles away from my entire family. I am limited to approximately 7 minutes a day to talk with them on one of the four phones that I share with 124 other prisoners. Most of my communication with family is via restricted email. MDC is, as you know, set up as a maximum security prison with very harsh conditions, awful food, no access to the outdoors and an ever-changing population of mostly transient inmates. I have been housed in Unit 62 during my entire stay here, which is well known as the worst unit at the MDC. Unit 62 is the unit that all transient felons coming from their respective penitentiary's SHU come through prior to being sent to a different prison. However, I have tried to make the best of my time here. I have taken on the task of teaching and assisting inmates in GED studies so that they can pass their GED exam. I have become the Unit's manager in charge of handing out the BOP's personal toiletry items and helping all of the new inmates learn the institution's schedule of operations and how to order commissary, as well as set up and use the phones and computers. In here, I have seen a different side of America, I have seen why many of these guys have ended up here. They had everything stacked against them, with little or no education, very fractured families, no real support and often drug problems. All of these issues, which contributed to their problems, I do not share. I have a great family, good education and family support. I have no excuse to have broken the law. Most of them were forced into this life. I was not.

I have been locked down for days and weeks at a time after the numerous violent fights, stabbings and even assaults on guards. I have shared this space with bank robbers, gang members, human traffickers, rapists, murderers, sexual predators, narco-terrorists and many others I'm sure. It has truly been an awful experience.

However, my experience here is nothing compared to how I have devastated my family. They have endured public shame and humiliation. They have lost their home, their way of life, their good family name and all sense of security. They have missed having their father to support them both financially and emotionally. I know that they have lost their respect for their father - the man that they looked up to all of their lives. What I have done to my wife is inexcusable, and really unforgivable. I have left her with no savings, no money, no income, no home and no assets. She had to get a job after not working since

1998, when she first became pregnant with our son. She is now acting as a single parent during the most difficult time in her and our children's lives, not to mention the public embarrassment that they are being subjected to in their private lives. All this, while I sit here, in shame, unable to assist them. I know that my actions and the consequences have affected each one of my family members in a truly horrific way. They were devastated by my arrest and have been through so much pain throughout my incarceration. However, what I do not know is how my actions will affect their ultimate growth, development and future. It truly terrifies me.

Judge Wood, I pray that you will allow me to go back to my family in order to support them, both emotionally and financially. Even in this, I face a future that I must say is very uncertain. I will not be able to work in the industry that I have participated in for over thirty years. I will have to find a new career at almost sixty years of age. With whatever that is, I will have to rebuild my life in order to support my family, to pay for my children's continuing education, as well as paying on the many financial obligations, restitution and judgments that have been placed against me. I face a perilous and uncertain future once I get out, and you know what? I deserve that. It is of my own doing. However, it's not fair for my family to have to fend for themselves as they have had to do for these past nine months. I need to help them, to do everything within my power to bring them into the future by being a better providing parent and husband, as well as a law abiding citizen.

I am so ashamed of my crimes. I am sorry and remorseful to my victims for their financial losses, plus the personal pain and disappointment that I have caused them along with my partners, business associates family and friends. All I can say is that this experience has changed me, profoundly. I have learned so much, and I am a different person. When I look at the person that I was when I was first indicted,

[REDACTED]

I have learned so much about myself and my actions and the real effects that they have on other people's lives. When I am allowed to return to my family, I will be this different person. An honest hard working person with a duty and a responsibility to realize how my actions affect others. I ask

you for the chance to prove to you that I can be that better person.

Thank you for your time and consideration.

Most Sincerely,

James David Williams

October 12, 2018

The Honorable Kimba Wood  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

Dear Judge Wood,

**James David Williams** is my brother. We have always been very close. Our parents raised three children in a loving and stable home in the Midwest. I am the oldest and David is the youngest.

I am a very private person. Having to write this letter is personally very difficult.

These insights about my brother's youth and adult life will show you that he is a good person who is loved by his family and respected by his friends.

Our parents were very involved in our lives. Both were community leaders and volunteers. They had conservative values. They taught us the importance of education and expected us to be good citizens. We were active in school and all went to college. Our father was an Army veteran, a first-generation high school and college graduate, an insurance salesman and a bank trust officer. He passed away in 2008. He was an honest and reliable man. Our mother, who is now 91 years old, is also a college graduate and stayed home with us until we were older. Our parents then bought a retail store and she successfully managed it. They did everything they could to give my sister, my brother and me a good start in life.

As a child, David was very curious and talented in a variety of areas. He participated in Boy Scouts, played musical instruments and learned how to do marionette puppet shows for children. In high school, he was in theater, on the golf team and active in church youth groups. He was viewed as such a responsible teenager that he served on the church council with the adult deacons. During these years, he became an accomplished photographer and started his own photography business. The two of us took a camping trip up the California coast when he was about 16. David took some amazing photos. He submitted some of the photos to national competitions and was named the Kodak Youth of the Year. Nikon gave him a Nikon Award of Excellence. In college, David earned money as a student photographer.

David and his wife have three children, ages 15 to 20. They love each other and are good parents, dedicated to creating healthy and positive opportunities for their children. My nephews and niece are courteous, smart and popular young people. They are well-adjusted and have many friends. They have



been involved in youth sports and activities at their Catholic high school. My nephews have graduated and my niece has three more years. David and his wife have also been very active in the community. They volunteer at the school and for charity events. They were always compassionate to those who needed assistance. An example of this is that David invited at least five people, including one family of four, to live with his family in their home for extended periods of time. He also included his mother-in-law in their home for most of his married life. David has many friends and has kept up with these relationships.

David is a good person. He is kind and cares about others. My husband and children have always looked forward to being with "Uncle David." Over the years, we have visited each other's homes and met for many family celebrations. David is gracious, funny, generous and charming. Our father knew how to fix things and he shared this with us. To this day, David and I exchange information about repairs we are making and what to do next.

My core principle is honesty. I worked over 40 years in higher education administration, handling confidential and sensitive academic and financial information. When there were mistakes or errors, I always exposed them and saw to it that they were corrected. For me, there is no gray area between right and wrong. Learning of my brother's role in these charges came as a complete shock. Believe me, in our family, there will be no tougher audience for David than his oldest sister.

I have very high expectations that he gets this right when released. If you really love someone, and we all love David, you support them in the worst of times. I will support David on this journey.

I expect David to make amends and take responsibility for his actions. Hopefully, David's remorse, time served with good behavior, [REDACTED] and commitment to fulfill his obligations to the court will illustrate to you that he deserves a chance to make this right. He will have to work hard to rebuild his reputation, find a job and provide for his family.

David's immediate family and our mother really need to be with him. Dealing with the trauma of trying to carry on as normal a life as possible without David has been very hard on them. His children are young and at very formative times in their lives. They need their father's guidance and love.

I ask you to please consider their futures and the last years of our mother's life as you evaluate what more he has to do to gain his freedom.

Thank you for reading my letter of support.

Sincerely,

Jill W. DeMichele

**John R. Doxsie**

6988 Kenmare Drive  
Bloomington, MN 55438  
612.597.5738

July 28, 2018

The Honorable Kimba M. Wood  
United States District Judge  
Southern District of New York  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street  
New York, NY 10007

**Re: United States of America v. James David Williams**

Honorable Judge Wood:

My name is John Doxsie. I am James David Williams' brother-in-law, having married his sister, Julie, in 1975.

I first met David in October, 1968 in Decatur, IL when I approached the Williams' family home to meet his sister for the first of many dates. David and his sisters were raised in a loving household by parents that adored each of their children. Nothing was, or is, more important to his parents than the health and welfare of their children. His father, a proud U S Veteran (now deceased), and his mother, a small business owner, worked hard, but always maintained a sharp focus on raising their children to be honorable, hard-working, loving, and deeply committed to their family and community. Collectively they are a great family surrounded by numerous loving aunts, uncles, cousins, spouses, children and friends.

I have always known David to be industrious, creative, personable, smart, loving and, above all, driven to make his immediate family proud of him. Not being aware of the serious crimes he had committed, I viewed David as a great son, brother, brother-in-law, husband, father and friend.

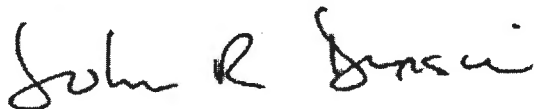
After months of reflection, I continue to be shocked by the very serious transgressions David has acknowledged committing. I am unable to fathom why he committed these unthinkable offenses, but after thoughtful consideration, I still believe David is a good person. More importantly, I believe he will not engage in illegal activity going forward.

David knows that he has failed in his most important life ambition—that is to make his family proud of him. He is ashamed, embarrassed, humiliated, financially-crippled and permanently scarred. His relationship with each of his family members will forever be damaged. Going forward David will be driven to improve each of those family relationships and I believe he now knows that leading a life of integrity is the only path to that desired result. He cannot afford a second misstep which causes him to lose his family's ongoing support. Without his family's love and support he has nothing and he knows it.

Your Honor, I urge you to consider a sentence of no further jail time for David. I do not believe he will let his family down again.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "John R. Doxsie". The signature is fluid and cursive, with the first name "John" being the most prominent.

John Doxsie

November 24, 2018

Dear Judge Wood,

David Williams is a devoted family man, and caring friend to many.

In my dealings with him, David has displayed a high degree of responsibility, and ambition. I was introduced to David in the late 1980s by Loeb and Loeb, one of the law firms that represented the company I worked for at that time. Loeb and Loeb thought David would be able to help the company achieve their goals. He is also a dependable team player.

On a more personal basis, David is vivacious, yet a gracious individual with a warm smile and a delightful sense of humor and perspective. Over the years, I could always count on David to assist me when I ran into personal or business challenges.

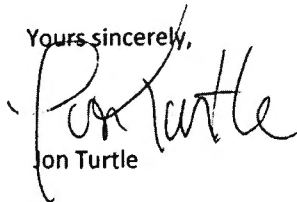
David has experienced a serious fall from grace. He has lost everything. His reputation is forever damaged. I don't believe he will be able to recover and work again in the film industry. He will have to completely start over and rebuild his life and career. I am committed to supporting David in any way I can.

Every person makes mistakes. But every person should be given a second chance. David has done wrong. I know he has. However, the loss of freedom and separation from family has had a real impact on David and I know he would never waste the second chance that I believe he deserves.

He has almost all his family and friends in Los Angeles, California, and we are all waiting for him to be by his side to help him overcome this difficult time of his life, and we will make sure he follows the right path and sticks to his plans now more than ever. He has a great love for his family and his friends and always lends a helping hand when needed.

I do not think society would benefit by David Williams spending any more time in jail. A longer sentence would be very detrimental to his children, wife, and the family unit and would have a negative impact on them.

Yours sincerely,



Jon Turtle



August 1, 2018

The Honorable Kimba Wood  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

Dear Judge Wood:

I would like to express to you my personal reflections of James Williams life from my personal point of view.

I have known Mr. Williams for over 20 years as his agent; I have helped him in Selling, Purchasing and Leasing of 5 homes in the Los Angeles area. He has always been courteous and responsible in the closing of each and every transaction.

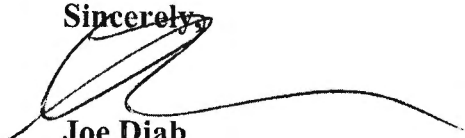
Throughout my actions with him he did not exhibit a negative character and has always been positive and capable in every transaction – has reflected fairness in dealing with the opposite party in every negotiation. He has been a very pleasant client to deal with.

The last transaction with Mr. Williams was last year when Mr. Williams was negotiating a lease of a home in Calabasas. He applied a lot of skill and fairness but most of all was instrumental in making the deal happen.

After Mr. Williams had gone, I met his wife, Nikki, at another home she wanted to lease, she explained to me that she would be seeing and negotiating the transaction because of Mr. Williams absence. I observed her to be tired and devastated and that her family is broken. My personal indication is that Nikki is suffered a huge loss in light of her husband now gone. I feel that Nikki and her family is now facing many serious financial and legal problems in light of Mr. Williams absence.

Please do not hesitate in reaching out to me if I can be of any further assistance.

Sincerely,



Joe Diab  
Realtor

Lic.#01190316

(818)884-5478

(818)884-LIST

[www.thediabs.com](http://www.thediabs.com)

[joediabrealty@gmail.com](mailto:joediabrealty@gmail.com)

Julie Doxsie  
6988 Kenmare Drive  
Bloomington, MN 55438  
juliedoxsie@gmail.com

July 28, 2018

The Honorable Kimba Wood  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, New York. 10007

Dear Judge Wood,

My name is Julie Doxsie. David (James David Williams) is my younger brother. I was seven years old when David was born - I have known him his entire life.

Because we were seven years apart, David and I did not grow up going to school together or sharing common friends. However, we were both always aware of and interested in whatever else the other was involved in as well as who our friends were. When I was of baby-sitting age, I became my parents first choice to babysit for David whenever I could. I am very grateful to my mother and father for this as it allowed me to get to know David well despite our age difference and to see first-hand the wonderful man that he has grown to be.

David is very talented and as a young man he was active in our church, school and community theatre and music. He developed an interest in performing magic tricks at a young age and choreographed a magic show. He loved to entertain our family and was often asked to perform at children's birthday parties. David was passionate about photography and had a successful photography business in high school. David has exceptional people skills; he handles himself very well in social situations and makes everyone feel comfortable and at ease. He is friendly, always fun to be with and has a way of making you feel like you are the most important person in the room. He is loved by his family, very well-liked by his friends, his co-workers and the people in the communities where he has lived.

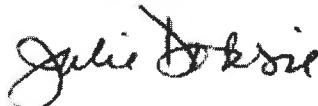
David is a loving, compassionate, generous and kind man. He is a very good father and devoted husband. Family has always been extremely important to David. In the years when David's three children were growing up, their family would drive from California to Illinois to visit our mother, father and extended family and then to Louisiana for a visit with his wife's family. This was repeated every summer when the children were on vacation from school. It was important to David that his children knew and grew to love their grandparents, aunts, uncles and cousins. Our families remain very close despite the miles between us.

Knowing David as I do, I will never understand what led him to commit the serious crimes that he has admitted to. He has destroyed the trust that we had in him. I do believe, given the chance, he will spend the rest of his life working to earn that trust back.

I believe that David is sorry for the pain and difficulties that he has caused. I believe that going forward David will lead an honest, humble and fulfilling life surrounded by his family that loves him and supports him.

I ask that his sentence be such that he can be close to his family, seek employment and be able to provide support for his family.

Sincerely,

A handwritten signature in cursive script, appearing to read "Julie Doxsie".

Julie Doxsie

September 25, 2018

The Honorable Kimba Wood  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

Dear Judge Wood:

David is more to me than just a bother in law, he is my brother in my heart.

Since 1991, when I met him, he became the person I would always go to for any questions or any help that I needed. He was always more than willing to answer questions or help me and go over and beyond. My parents were divorced and I looked after and worried about my sister (Nikki) until she met David, and I knew immediately that I didn't have to worry about her anymore. David is a wonderful father to Parker, [REDACTED] he goes to every game, fencing competition, LaCross game, and cheer competition or anything that the three kids are involved in.

David is as being a devoted husband and father. He is a family man that cares for his family. Our mom had a heart attack in 2010, she was living with Nikki and David at the time. David never turned his back on our mom because in his eyes she was his mom also. He did many things to help her, like checking on her throughout the day to make sure that she didn't need anything. He made sure that she had all of her medical equipment and medication. Brought her to the hospital many times and made sure she had everything that she needed. For five years he was there doing everything within his power to help my sister with her. She was in and out of the hospital for the next five years. She died in 2015 and David took care of all of the arrangements because Nikki and I just couldn't do it. He even made a video of pictures of her with family and friends that he had running at her celebration of life memorial.

David is very thoughtful, loves with his entire heart. When David was incarcerated I was devastated, I lost my life boat. He was the one person that I knew that I could count on no matter what. I know that I live thousands of miles away but I talk to my sister often. The effect on David's family has been horrible. My sister who is very positive struggles everyday to keep it together for her children. [REDACTED] is only 15 and I think that she is struggling the most. To have her dad, her rock taken away from her when she needs him the most is heartbreaking. Parker and [REDACTED] are a little older and they miss their dad tremendously. He has missed [REDACTED] graduation from high school, last year of playing sports, visiting colleges and everything that is done your senior year of high school. [REDACTED] was used to have his dad there to help with everything. Parker is home working, helping his mom with whatever he can do to make things easier for her. David is a good person and wants what is best for his family.

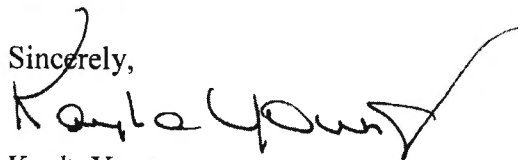
My sister and their children need their father home. They are a very close family, they would sit at the dinner table and talk about their day. My sister and David went everywhere together, Cosco shopping, lunches, shopping, to all of the children's functions. They have the family that



most people dream of having, they have a bond that is unbreakable. Whenever I go visit I feel so at home with them. David has never treated me like just a sister in law. I am his family and he knows that I will always be there for him.

I know that what David did was wrong but I would like you to know that our family needs David home. We all miss him and need his loving and strong support. My nephews and niece need and want their dad home. My sister needs and wants her best friend and husband home. They are at a time in their life that they need their dad. I want my brother home. I again am worried about my sister and nephews and niece. I know that they are strong but are much stronger with David at their side. He has all of our support and we will welcome him home with open arms!

Sincerely,

A handwritten signature in black ink, appearing to read "Kayla Young", with a long, sweeping flourish extending to the right.

Kayla Young

MICHAEL BAUMGARTEN

August 3<sup>rd</sup>, 2018

The Honorable Kimba Wood  
United States Judge  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

Dear Judge Wood,

I have known James David Williams since 1995. I met James David while working as an office assistant at a film finance company and he was always the most kind and approachable executive in the office. Even though I was a lowly office assistant, he was always open to share his years of movie business knowledge with me. He even invited me to attend the wedding to his wife, Nikki.

Over the years, he was even supportive of me making my first independent feature film. He allowed our crew to use his cars as picture vehicles and gave us nighttime and weekend access to an edit bay for several months. If I needed a place to stay during Sundance, he was never shy about offering the sofa. When times were tough and I needed extra income to pay rent, he'd try to find me work.

There was even the time he steered me away from making low budget horror and R-rated comedies and challenged me to write a wholesome, family dog movie. So, I sat at Starbucks and I wrote a screenplay -- and it later got made with a cast that included two Oscar winning actors and a 2-time Oscar nominee.

James David Williams also included me on a trip to France to film behind-the-scenes on a WW2 movie project. We filmed around the D-Day Festival Normandy while folks were dressed in WW2 clothing and drove around in WW2 vehicles. It was an amazing cultural experience and a great United States history lesson.

Having known James David Williams for a long time, I know him to be kind, thoughtful, generous, and respectful of everyone he was in contact with. That's a very rare trait in Hollywood -- and perhaps for executives in general. As a person, the term "nice guy" seems spot on.

Looking ahead, I can't even imagine what this is doing to his wife and his kids and how it may negatively impact their futures without having James David there to be close by and guide their journeys.

If you knew James David like many of us do, he's done so much good along the way for so many people that we hope that has built up some good karma in his favor.

Please show him leniency and mercy.

Sincerely,

Michael Baumgarten  
Screenwriter / Director  
Burbank, CA

The Honorable Kimba Wood  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

October 6, 2018

Dear Judge Wood,

I can say without question or pause, knowing David Williams has made my life better.

My name is Patrick Michael Tupy, my friends know me as Michael. I have known David for well over 30 years and for the life of me, I can't think of him without smiling. Honestly, if you were picking teams of people who are most fun to spend time with, David would be a first choice. A rarity in this town, he is creative, decent, caring, not full of himself and doesn't lead with his ego as so many in this business do. Instead David is smart, funny and humble, possessing a sharp wit and a self-deprecating sense of humor.

I am a writer here in Hollywood and David has always been one of my biggest cheerleaders. David has seen me through the years as a hungry young writer sharpening my skills writing stories for The Love Boat, Simon and Simon, Magnum P.I. and The Pretender. After I graduated from UCLA, the screenplay I wrote in



my last screenwriting class, BLOOD OF SHERWOOD, a son of Robin Hood tale, ended up selling to the infamous Producer, Jon Peters, at Warner Brothers where I worked for three years. Since then I've been writing regularly; I adapted a book to film for the late Jackie Collins, and was hired to adapt a Robert Ludlum novel. I just finished a rewrite of my Roseanne script due to her actions which led to the show being significantly changed to it's new incarnation as The Conners. I am currently preparing to pitch a horror/suspense anthology series to Netflix for which I have ten scripts already written.

Throughout my entire life as a young writer hungry for my first sale to this day, David has always taken the time to read my scripts and offer helpful creative insight, critiques and encouragement. Many in this town will say they will read your work and give notes then never do. The fact that David doesn't just give lip service, but offers to and keeps his word - always taking the time to read the work - truly means the world to a young writer, or to any writer.

Outside of being a caring husband and loving father, David is a great friend. I was honored to be the Best Man in David's wedding to his wife, Nikki, and long before that we were roommates for a couple of years. During that time he always pulled his weight and paid his bills while working several jobs. If anything, in my experience, David has always tried to take on too much.

Now, I should add that we are on vastly different sides of the political spectrum, yet our fondness for one another supersedes any conflicts we might have and our differences are the basis for much good-natured humor and comity. This is especially refreshing in our current political climate and attests to his values and maturity. It is encouraging that our friendship has always been far more important to him than any aspect of time or politics which might serve to diminish it.

While we all have friendships that grow or fade over time, this is not so with David. We have had the type of friendship through the years where if we don't speak or communicate for long periods of time we can pick up as if no time has passed. David has been the same since I met him. When we haven't been in touch he is genuinely interested in what I have been working on, how my career, my goals, my dreams and my family is doing. From our twenties forward, David has always been one of the kindest most genuine people I've ever known.

When my Mom passed away in 1998, David was there to support me with great kindness. He let his own Mom, Emmy, know of the grief I was going through. Emmy never met my Mom, yet she knew that my Mom, Winnie, had raised five kids on her own in the '60's & '70's without any help from my Dad. Emmy wrote the most touching five-page letter I've ever received;

astoundingly insightful and humorous yet with great consideration and wisdom. I cherish this letter and have it to this day. I mention this because David comes from a good, decent mid-western family which instilled in him the values which have clearly informed our friendship.

From everything I have experienced while interacting with his family, David has been a wonderful Father and husband. After all these years, it is clear that David and Nikki are still very much in love as they still treat one another with great humor, respect and consideration. There has always been an ease between them that reflects the respect and love they continue to hold for one another. His three children, Parker, [REDACTED], [REDACTED] are extremely well-raised; respectful of others, very polite, smart and disciplined. In short, raising kids is always something of a mine field but Nikki and David have successfully navigated it with humor and purpose so that I always look forward to seeing their whole family as they are a joy to be around. It just dawned on me as I am writing this that, as a child of divorce, just how much I would love to have had a father as capable of loving and caring as David has always been to his children.

I haven't always had extra money to invest but I did invest in one of David's projects with the promise of some interest upon the return of the principle amount. This was a short-term investment of six months. Still,



this was scary for me as I didn't grow up with money and I was trusting David to take care of virtually all I had saved. I can only speak for myself, but David made good on his promise to me and I was repaid in full with the interest he agreed to pay. Since then I have had most of my money locked up in a portfolio targeted for retirement, but if all my investments would return as that one did with David, I can say that I would be a very happy man.

I understand that David is currently incarcerated and I am truly saddened to hear of what has transpired as it seems so contrary to my own experiences with him. Still, I am aware there are consequences to our actions and I can only request that you take into consideration that David's life is far from only comprised of the crimes that he committed. I know that David will come through this chapter of his life, aware of the damage that he has caused others and will work to repair and make amends for what he did.

In my experience, David is a kind and loving person with the intelligence and skills to be a productive member of society. I truly believe if given a chance, he will grow and improve as he has enough reasons to change and correct his mistakes and move forward to become an even better man.

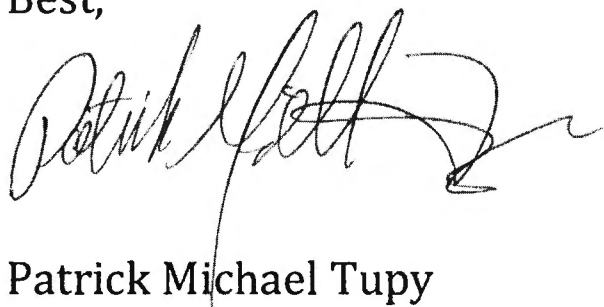
I know that if ever I needed help of any kind, if I were to reach out to him, David would go out of his way to do all



he could to assist me in any and every way possible.  
When this chapter is past, I intend to do all I can to  
assist David in any and every way possible to get back  
on his feet and leading a productive life.

Your Honor, thank you for your time and consideration.

Best,

A handwritten signature in black ink, appearing to read "Patrick Michael Tupy", with a stylized flourish at the end.

Patrick Michael Tupy

The Honorable Kimba Wood  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

Dear Judge Wood,

I am Nikki Williams, David Williams wife. I have known David since 1991. We have been married for 23 years and have three children: Parker, 20 years old, [REDACTED]  
[REDACTED]

David is a kind and giving person. His first response is always "What can I do to help?" When our friends home was found to have lead paint David invited them to move in our home with their two small children for over a month until they were able to find a new place to live. When my mom's husband physically abused her David told her she could live with us and we would support her, which she did for 16 years until she passed away. When my mom had her heart attack she was in and out of the hospital for five years. David shared in the responsibility of managing her medical needs so I could be with our children. He would stay at the hospital with her, making sure that she had the necessary equipment and medication. He paid for her to join the YMCA so she would have access to exercise equipment and classes so she could recover and stay healthy. The support he gave her was the same as a son would do for his own mother. To say that he was good to my mom would be an understatement. He was always so patient and kind to her and treated her like his own mother.

When I volunteered for any charity or event in Junior League, National Charity League, National League of Young Men or school that our children attended. David would always help out. Again, his response was "What can I do to help?" Everyone knew who he was because he was always helping set up, tear down and basically doing whatever needed to be done. At our Church his favorite thing to do was to be the greeter. All the elderly couples loved how he would help them to their seats and he would take time to speak to them and truly listen to what they had to say. One day while walking, an elderly lady got into a small accident. David stayed with her until the paramedics arrived and when she asked him to stay until her son arrived because she was scared, he did. He always puts the needs of other people in front of his own expecting nothing in return.

David is an amazing father. From day one he was a hands on dad. When the kids where babies he would take the Midnight to 3:00am shift so I could get a couple of hours of sleep. Everyone David did business with knew his family came first and they would have to work around his children's schedule. David was at almost every game, competition, play, performance, parent/teacher conference and tournament supporting our kids. It was noticed

when he was not at an event because he never missed anything. David would do anything for his kids even coach T-Ball when he didn't even know that much about baseball but they needed a coach so he stepped up. He wore cheer shirts to support our daughter and never missed a competition even though it was among a thousand screaming girls. David was there for my middle son [REDACTED]. David researched every possible alternative to medication so we wouldn't have to medicate our son but in the end we had no choice. He researched the best Developmental/ Behavioral Pediatrician for [REDACTED] along with speech therapist. David always made working with [REDACTED] on speech drills fun. The help David gave [REDACTED] is immeasurable. [REDACTED] was barely able to pass and required tutors in every subject to graduating with a GPA of 3.2

David was a huge help when it came to homework. Encouraging the kids that they could handle and tackle any task and assignment. Giving them just the right amount of help so that they walked away with a better understanding of the assignment along with the confidence that they were able to do it on their own. All the while reminding them that as long as they did their best he would be proud of them. When it came to connecting with the children, David was the best. He made sure he knew what they were interested in and took the time to research so he could share in their enthusiasm of whatever they were interested in.

The effect of David's actions and resulting incarceration has been devastating. People have been hurt and we have lost everything!! We have lost our home, savings and security. Some people do not want to be associated with us now. We are dependent on friends and family. My oldest son Parker, dropped out of Arizona State University and joined the Marines so he wouldn't be a financial burden to our family. My middle son [REDACTED] Hasn't had his father around for any of his Senior year life moments. [REDACTED] didn't have his father there to help him get ready for prom. Instead, my oldest Parker drove in from ASU to be here for [REDACTED], help him and take pictures. David wasn't here for [REDACTED] when on senior night for Lacrosse each player is presented on the field and their parents meet them on the field and a short bio is read about that player. [REDACTED] didn't have his father there and was the only one whose father wasn't in attendance on this very special evening. David wasn't there for the National League of Young Men's Compass awards dinner where [REDACTED] received the Lieutenant award for 41 hours of community service and the Senior presentation of the compass to all seniors. David wasn't there for his High School graduation. He wasn't there to see [REDACTED] walk across the stage and congratulate him for working so hard to make this happen. The effect on our daughter is immeasurable. She is a sophomore in high school. Kids can be very mean in high school and the snide remarks she has had to endure is more than anyone should have to deal with. The loss of her father, her home, lifestyle, the uncertainty if she will ever be able to live with her father again, if she will be able to stay at the Catholic school with all of her friends, knowing that we are financially dependent on family and friends, the embarrassment of having a father that is incarcerated is more than she can handle.

It was so evident that [REDACTED] was going through something that her teachers alerted the school counselors and therapist because they were worried about her safety and well-being. Her grades dropped from a 3.8 to a 3.0. Before she was enrolled in Honors classes now

she can't qualify for any Honors or AP's which in turn hurts her chances for a scholarship and merit aid. She has lost interest in things she used to love and has quit cheer, something she has done and loved since Kindergarten. Her cheer coach called her in his office because he saw the fun loving girl he had known was gone and he was concerned. The effect on me is measured from our children. To see everything that they have lost and what they have gone through is so hard. I have also lost my best friend. I am very lonely. David and I did everything together from going shopping at Costco to having Starbucks at Barnes and Noble on Sundays. Now I eat every meal alone because my children stay away because they find the home depressing without him and they are trying to get through the day and being home reminds them of their situation.

November has been a hard month. David missed my 50<sup>th</sup> birthday and [REDACTED] 16<sup>th</sup>. I tried my best to make it special for her but without her dad it wasn't the same. It was also our first Thanksgiving holiday without him. We were fortunate to have been invited to a friend's house but it is not the same because we have our own family traditions. One being decorating the tree for Christmas. [REDACTED] hung David's favorite ornament for him. I have also been scared, when our area was affected by the fires and we were put on watch for evacuation. Packing up the house with what we could fit in one car was very hard. After everything we have lost the thought of losing the little we have left was terrifying. In addition, my daughter was very scared and kept asking "what would Dad do? If Dad was here we would help". With her in tears I had her stay with a friend that was far away from the fires.

The fact that David is incarcerated in Brooklyn and we live in Los Angeles and the fact that we have limited financial means makes it impossible to visit. The cost of flights and hotels would put a huge burden on the family finances. That combined with David only having 300 minutes each month to talk makes it extremely hard on me and the children. My daughter used to look forward to her dad picking her up from cheer practice because they would just talk about anything and everything. It was the perfect opportunity for her to open up and she has lost that. David was able to tell if something was bothering her by her posture and he can't do that now. He can't see her and a short phone call can do nothing but allow her to hear his voice and say a simple hello.

David Williams is a good person, father, son, friend and husband. I know David has suffered because of the effects his actions have had on his family and to those he has harmed. He values his children above anything and the pain that he has caused everyone that he loves is punishment for him. Keeping him from his children would hurt them more. His family needs him at home and is suffering immensely without him. The scarring effect of his actions and incarceration on his family can never be truly measured.

Warmly,

Nikki Williams



November 26, 2018

Dear Judge Wood,

A father is meant to guide his son, to show him how to ride a bike and show him that he doesn't need training wheels. A father gives advice to his son from his father before him. A father shows his son that falling is not failure, and that failure comes only with the choice to not stand up once more. However, what if the father is removed from this dynamic, unable to provide for the family, unable to pass on knowledge? When the role of provider, protector, and guide is empty it cannot be left vacant.

I am the eldest son. I was left with the responsibility of this role. Since my father's imprisonment I have taken on these roles and realized the burden attached to each one. Upon my return from a brief stay at college I worked two separate jobs through the summer in order to help with expenses. In addition, I needed to help my brother be able to attend college because I wanted him to have the opportunity he deserved for the inspiring work ethic he has displayed. My enlistment into the United States Marine Corps had a list of reasons: patriotism, sense of duty, benefits to my family, and a paycheck that would help my brother get his deserved education. I chose to not return to Arizona State University to assume these roles when my family needed them.

I chose to assume these roles because I know my father would have, regardless of the sacrifice. He would be a provider. I know that when my little sister is trying to find her way navigating the dynamic of high school and early adulthood with a major role model imprisoned, that he'd advise her, teach her how to drive, tell her which boys to avoid (which given the fact she's my little sister is all of them), and how to believe in herself and her family in spite of adversity. He would be a guide to her. In my absence while at basic training I worry about my mother and sister being alone. I have talked to many of my friends to check in and offer aid to my family if needed. As I know my dad would have for he would be a protector. I do all that I can and sacrifice all that I have to ensure a future for this family. This family that I care for with all that I am. However a son can only do so much to fill a void such as this. For he is meant to be a son here, and build for the future. This void requires a father. A man who can fulfil these roles as paramount to all else. This void requires a man with these traits to exemplify and pass on. This void requires a father. This void requires my father, James David Williams. For he is meant to be a father to us and our family.

Sincerely,  
Parker James Williams

The Honorable Kimba Wood  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

Dear Judge Wood,

My dad is one of the biggest influences and a role model in my life. For my religion class in 7th grade I was asked to do an assignment about anyone in the world who I think is a Saint and I choose my dad. I had so many positive and great stories about him that I couldn't even fit it onto one page. I decided to write about my dad because he constantly makes sacrifices to do everything in his power to make everyone around him happy. I especially remember writing a story about my dad meeting a man at a Vons who needed help getting his groceries late at night because he was in a wheelchair. My dad helped the man with his groceries and decided to go every Wednesday after that at a specific time and help the man for almost two years. Just simple acts of kindness like this that were never an issue for my dad but had such a big impact on others is one of the main reasons I idolize him so much.

With my father being away it has been anything but easy on both my family and myself. I try my best to get by day by day with a huge aspect missing in my life but as hard as I try to ignore it I can't. Sometimes I can push away the fact that my dad is missing out on parts of my life and I am losing a year of memories I could spend with my father but these scary ideas always find a way back into my mind. When I spend time with my friends' families I can't enjoy myself without remembering how much fun my family used to have and the time we would all spend together when my dad was home. Our family used to have family dinners at every chance we could and would always watch movies together but since my dad has been gone I have never been more lonely and can't remember the last time my family actually sat down and enjoyed a dinner.

My life now consists of me being more independent then ever since my brother just went off to college and my other brother joined the Marines so my household went from 5 to 2 in a matter of months. With it just being my mom and I, she tries her best to make me feel better by sitting down with me at our family table where a picture of our family sits right above it. I told my mom that I hate sitting there now because it reminds me that my father is gone and just makes me feel so lonely. I even refuse to go back to some of my dad's favorite restaurants because I just can't stand to sit there and start to miss him.

My dad used to drive me home from my practices every single Thursday where we would talk the entire ride home and he would tell me stories that always made me want to be more like him. I miss those simple car rides where I got to learn more about my dad and just get the opportunity to be with him. Since he has been gone I have a lot of trouble sleeping because I don't feel safe when it is just my mom and I. When my brothers are home it is a lot better but without my dad I feel not as secure and there is just this constant feeling that something is missing.

Recently when there were a lot of fires across California my mom and I had to prepare to evacuate all by ourselves. I was so scared and I did not feel safe with just my mom at all. That day I missed my dad so much because I knew if he was with us he would figure out everything about the fire and assure my mom and I that we would be fine. I also wanted my dad with me that day because I bought some supplies for the firefighters and I knew that my dad would have loved to help me and would have come up with more ideas to be helpful.

For Thanksgiving my mom, brother, and I decided to go to our family friends house since staying home would just remind us that my dad wasn't there and would be too depressing. During the holidays it's all about spending time together as a family and all I want is to be able to spend this Christmas with my dad because this year has been so difficult and I miss my dad so much. I told my mom that I don't want to celebrate Christmas if my dad isn't there because it wouldn't be the same without both my dad and my oldest brother who is gone to the Marines and it would just remind me of how much my life has changed. Since my dad is so supportive and comes to every school and sport event it has made him being away even harder because it was such a drastic change. My close friends all could tell something was wrong because they noticed my dad not being around and how it had an effect on me. Especially on my 16th birthday and my brothers high school graduation so many people were confused about where my dad was. This is a very hard situation for myself to not only comprehend but also handle and I truly believe my father is a good man and at this point in my life I would do anything to have him home again.

Sincerely,

A solid black rectangular box used to redact the signature of the person writing the letter.